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07                   UNITED STATES DISTRICT COURT  
08                   WESTERN DISTRICT OF WASHINGTON  
09                   AT SEATTLE

10           MATTHEW G. SILVA,                                   ) CASE NO. C04-1885-JLR-MAT  
11           Plaintiff,   ) )  
12           v.   ) ORDER DENYING PLAINTIFF'S  
13           LARRY MAYES, et al.,                           ) MOTION FOR TEMPORARY  
14           Defendants.                                        ) RESTRAINING ORDER /  
  ) PRELIMINARY INJUNCTION  
  )  
  )

15           The Court, having reviewed the Report and Recommendation of the Honorable Mary  
16 Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and  
17 ORDER:

- 18           (1)     The Court adopts the Report and Recommendation;  
19           (2)     Plaintiff's motion for temporary restraining order/preliminary injunction (Dkt.  
20           60) is DENIED; and  
21           (3)     The Clerk is directed to send copies of this Order to plaintiff and to Judge Theiler.

22           DATED this 3rd day of June, 2005.

23  
24   s/James L. Robart

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26   JAMES L. ROBART  
   United States District Judge

ORDER